

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.434 of 2024

Arising Out of PS. Case No.-23 Year-2015 Thana- GAIGHAT District- Muzaffarpur

SUNIL SAHANI S/O INDAL SAHANI R/O VILLAGE- LOHBANDRA,
P.S- GAIGHAT, DISTT.- MUZAFFARPUR.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tipuuddin Khan, Advocate
For the Respondent/s : Km. Shashi Bala Verma, APP

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)

3 20-11-2024 Heard Mr. Tipuuddin Khan, learned Advocate for the
appellant and Km. Shashi Bala Verma, learned APP for the
Respondent-State.

2. Learned Advocate for the appellant, at the outset,
submitted that he has filed this appeal on behalf of the appellant,
who is in custody since more than nine years, and he is
appearing on behalf of the Patna High Court Legal Services
Committee, Patna. It is pointed out that the Secretary, District
Legal Services Authority, Muzaffarpur, wrote a letter to the
Secretary of the Patna High Court Legal Services Committee,
Patna, for filing of the appeal and, therefore, the present appeal
has been filed. However, after the present appeal has been filed,



on the basis of the defect pointed out by the Stamp Reporter, he came to know that earlier, the present appellant had filed Cr. Appeal (DB) No. 671 of 2016 challenging the very same impugned judgment and order and the Division Bench of this Court *vide* order dated 06.01.2018 dismissed the Cr. Appeal (DB) No.671 of 2016 filed by the appellant on merits. However, at the relevant point of time, when the present appeal has been filed, the said fact was not pointed out to him.

3. Learned Advocate for the appellant, therefore, seeks permission to withdraw the present appeal.

4. Permission, as prayed for, is granted.

5. Accordingly, the present appeal stands dismissed as withdrawn.

6. In view of the aforesaid order passed in the Cr. Appeal, no order is required to be passed in I.A. No.01 of 2024.

(Vipul M. Pancholi, J)

(Dr. Anshuman, J)

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